Pornography committee: The tasks and challenges ahead

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KAMPALA. The newly inaugurated pornography control committee will have powers to inspect gadgets, computers or residence of individuals suspected to be having any pornographic material, with several of the offences punishable under the controversial Anti-Homosexuality Act, 2014.

Now that Ethics and Integrity minister Simon Lokodo has inaugurated the committee, the question is; who will be their victims and over what?

First are their terms of reference prescribed under the Anti-Homosexuality Act, 2014.

The nine-member committee arguably has one of the most difficult enforcements to make regarding morality.

Section 7 of the Anti-Pornography Act, 2014, mandates the committee to chiefly "take all necessary measures to ensure early detection and prohibition of pornography".

To understand the difficulty of the task before it, the law doesn't suggest any such measures, leaving it entirely to the committee's determination.

The committee will also have to ensure that the perpetrators of pornography are apprehended and prosecuted as stipulated under Section 7(2) of the Act.

According to the law, pornography means any representation through publication, exhibition, cinematography, indecent show, information technology or by whatever means, of a person engaged in real or stimulated explicit activities or any representation of the sexual parts of a person for primarily sexual excitement.

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Sentence. For producing, trafficking in, publishing, broadcasting, procurement, importing, exporting or selling any form of pornography, a fine of Shs10m awaits convicts, with an attendant risk of 10 years in jail. Court can also sentence one to both.

In a bid to tighten the noose, perpetrators of child pornography under Section 14 could get a punishment of 15 years in jail, a fine of Shs15m or both.

The law equally empowers court to suspend "telephone-related businesses" or internet service providers of offenders who have suffered conviction for providing platform for download or upload of any pornographic content.

The committee's budget is derived from that of its parent ministry, namely the Presidency, which is currently overseen by Ms Esther Mbayo, who is assisted by the Rev Fr Lokodo, as the contact person responsible.

The most controversial aspect, perhaps, is that all persons convicted for one offence or the other under the Act will be registered with all his or her particulars, including residence and telephone contacts.

The 12 particulars of the convict to be recorded include age, gender, and offence convicted for.

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